



Amendment under 37 CFR 1.116 - Expedited Procedure  
Examining Group 3763

PATENT  
ATTORNEY DOCKET NO. 0090/004001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicants: Noboru NAKASHIMA  
Application No.: 10/084,491  
Filed : February 28, 2002  
Title : SAFETY INDWELLING SYRINGE

Art Unit: 3763  
Examiner: Maiorino, R.

**Mail Stop AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Office Action dated March 24, 2005, of the Examiner finally rejecting claims 2-3 and 5-8.

Thus a fee of \$250.00 for a Notice of Appeal pursuant to 37 C.F.R 1.17(b) is required. As stated in the attached Transmittal Letter, the Commissioner is authorized to charge this \$250.00 fee and any other fees which may be required or credit any overpayment to the credit card number listed on the attached credit card number listed on the attached Credit Card Payment Form (PTO-2038 FORM), referencing Attorney Docket No. 0090/004001.

A petition for a three month extension of time to respond to the final rejection and a response together with the \$510.00


Notice of Appeal  
Application No. 10/084,491  
September 26, 2005  
Page 2

extension fee under 37 CFR 1.17, are also concurrently submitted herewith.

If there are any questions regarding this application, please telephone the undersigned at the telephone number listed below.

Respectfully submitted,

Date: September 26, 2005

  
Randolph A. Smith  
Reg. No. 32,548

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